

SCHEDULE 3

Regulation 13

FEES CHARGEABLE BY ENFORCEMENT OFFICERS

The fees chargeable by enforcement officers on execution of writs are as follows. Value Added Tax, if payable, may be added to the fees specified.

A. Fees chargeable on execution of writs of fieri facias

1. Percentage of amount recovered

For executing a writ of fieri facias, the following percentages of the amount recovered:

- | | | |
|-----|-----------------------|--------------|
| (a) | (a) on the first £100 | 5 per cent |
| (b) | (b) above £100 | 2.5 per cent |

2. Mileage

Mileage from the enforcement officer's business address to the place of execution and return, in respect of one journey to seize goods and, if appropriate, one journey to remove the goods

29.2 pence per mile, up to a maximum of
£50.00 in total

3. Seizure of goods

For each building or place at which goods are seized £2.00

4. Making enquiries or dealing with claims for rent or to the goods

(1) For making enquiries as to claims for rent or to goods, including giving notice to parties of any such claims a sum not exceeding £2.00

(2) For all expenses actually and reasonably incurred in relation to such work including any postage, telephone, fax and e-mail charges a further sum not exceeding £2.00

5. Taking possession, removal and storage of goods

(1) Where a person is left in physical possession of goods seized £3.00 per person per day

(2) Where an enforcement officer takes walking possession under a walking possession agreement in the form set out in Schedule 4 to these Regulations £0.25 per day

(Fees 5(1) and 5(2) are payable in respect of the day on which execution is levied, but fee 5(1) may not be charged where a walking possession agreement is signed at the time of levy. Fees 5(1) and 5(2) may not be charged after the goods have been removed.)

(3) For—

- (a) the removal of goods;
- (b) the storage of goods which have been removed; and
- (c) where animals have been seized, their upkeep while in the custody of the

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enforcement officer, whether before
or after removal

the sums actually and reasonably paid

6. Sale of goods by auction

(1) To cover the auctioneer’s commission and expenses, where goods are sold by auction or work has been done with a view to sale by auction:

(a) when goods are sold by auction on the auctioneer’s premises, the following percentages of the sum realised—

- (i) on the first £100 15 per cent
- (ii) on the next £900 12.5 per cent
- (iii) above £1,000 10 per cent

(b) (b) when goods are sold by auction on the debtor’s premises, 7.5 per cent of the sum realised plus expenses actually and reasonably incurred.

(2) When no sale takes place either by auction or private contract, but work has been done by the auctioneer or enforcement officer in preparing for a sale by auction, including the preparation of a detailed inventory of the goods seized—

- (a) if the goods have been removed to the auctioneer’s premises, 10 per cent of the value of the goods;
- (b) if the goods have not been removed from the debtor’s premises, 5 per cent of the value of the goods plus expenses actually and reasonably incurred.

7. Sale of goods by private contract

Where an enforcement officer sells goods by private contract—

(a) the following percentages of the proceeds of sale—

- (i) on the first £100 7.5 per cent
- (ii) on the next £900 6.25 per cent
- (iii) above £1,000 5 per cent; and

(b) (b) when work has been done in preparing for a sale by auction, including the preparation of a detailed inventory of the goods seized, an additional sum not exceeding 2.5 per cent of the value of the goods plus expenses actually and reasonably incurred.

B. Fees chargeable on executing writs of possession or delivery

8. Mileage

Mileage from the enforcement officer’s business address to the place of execution and return, in respect of one journey 29.2 pence per mile, up to a maximum of £25.00 in total

9. Writs of possession

(1) Where an enforcement officer executes a writ of possession of domestic property within the meaning of section 66 of the Local Government Finance Act 1988(1), 3 per cent of the net annual value for rating shown in the valuation list in force immediately before 1st April 1990 in respect of the property seized, subject to paragraph (3).

(1) 1988 c. 41.

(2) Where an enforcement officer executes a writ of possession to which paragraph (1) does not apply, 0.4 per cent of the net annual value for rating of the property seized, subject to paragraph (4).

(3) For the purposes of paragraph (1), where the property does not consist of one or more hereditament which, immediately before 1st April 1990—

(a) had a separate net annual value for rating shown on the valuation list then in force; and

(b) was domestic property within the meaning of section 66 of the Local Government Finance Act 1988,

the property or such part of it as does not so consist shall be taken to have had such a value for rating equal to two-fifteenths of its value by the year when seized.

(4) For the purposes of paragraph (2), where the property does not consist of one or more hereditaments having a separate net annual value for rating, the property or such part of it as does not so consist shall be taken to have such a value equal to its value by the year when seized.

10. Writs of delivery

For executing a writ of delivery, 4 per cent of the value of the goods as stated in the writ or judgment.

C. General fees

11. Copies of returns

For a copy of any return indorsed by the enforcement officer on a writ of execution £5.00

12. Miscellaneous

For any matter not otherwise provided for, such sum as a Master, district judge or costs judge may allow upon application.
